

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DEUTSCHE BANK TRUST COMPANY,)	Case No. 11 CIV 4522 (RJH)
AMERICAS, in its capacity as successor indenture)	
trustee for certain series of Senior Notes, et al.,)	
)	AFFIDAVIT
Plaintiffs)	OF CELESTE INGALLS
)	IN SUPPORT OF
v.)	MOTION FOR ORDER
)	APPOINTING INTERNATIONAL
ABU DHABI INVESTMENT AUTHORITY, et al.,)	PROCESS SERVER
)	
Defendants)	

I declare that I, Celeste Ingalls, am a citizen of the United States, over the age of twenty-one, not a party nor an attorney for any party in this action, and state the following:

I am Director of Operations for Crowe Foreign Services and have specialized in the service of civil process in foreign countries for 15 years, specifically Germany; and

I have lectured to state/county bar associations and the National Association of Professional Process Servers on the mechanics of service abroad; and

I was invited and attended the Special Administrative Sessions of the Hague Conference in The Hague, Netherlands in November 2003 and February 2009, whereat signatory countries were represented by their respective Judicial Authorities to discuss and implement the practical mechanics, problems and understanding of the Hague Service Convention and the Hague Service Convention; and

The United States and Germany are both signatories to the Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters, Done at the Hague, November 15, 1965, (Hague Service Convention); and

Article 3 of the convention states “the Authority or Judicial officer competent under the law of the state in which the documents originate shall forward to the Central Authority of the State addressed a request.....”; and

The Presidents of the Supreme Courts of the various German states (Central Authorities), have declared that their interpretation of who is authorized to request service of judicial process under the provisions of the Hague Service Convention is such that they will only accept and process a request for service of process in Germany if the request “emanates from a judicial authority (court) or from the diplomatic or consular representation of a contracting state”; and

Due to the fact that diplomatic officers of the United States in Germany are prohibited by regulation to serve process, the above interpretation, and my consistent experience, provides that the only entities which may issue and forward a request for service under the Hague Service Convention are the forum court itself, or an individual authorized by the court; and

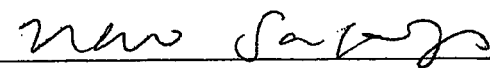
The abovementioned order appointing Celeste Ingalls as the international process server authorized to request service in this case (Requesting Party) DOES NOT authorize Celeste Ingalls to SERVE process personally. This Order authorizes Celeste Ingalls to EXECUTE AND FORWARD A FORMAL REQUEST for service in accordance with the Hague Service Convention; and

Attached are examples of similar orders granted by United States District Courts (Exhibit A) appointing a private party to request Hague service in a foreign country.



SUBSCRIBED AND SWORN to before me this 20th day of September 2011.





Notary Public for Oregon

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ FEB 10 2011 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

TRADEWIND DISTRIBUTION, LLC,

Plaintiff,

v.

UNILUX AG, EAGLE WINDOWS & DOORS, INC.
(d/b/a DIVERSIFIED WINDOW SOLUTIONS) and
SA-FE,

Defendants.

BROOKLYN OFFICE

Case No.: 10-5716 (BMC)

ORDER APPOINTING INTERNATIONAL PROCESS SERVER

Pursuant to Chapter 1, Article 3 of the Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters developed at the Tenth Session of the Hague Conference on Private International Law on 15 November, 1965 (the "Hague Convention"), and for good cause shown, the Court hereby appoints Crowe Foreign Services, 1020 SW Taylor Street, Suite 240, Portland, Oregon, 97205, and its agents, as the authority and judicial officer competent under the Jurisdiction of this Court to forward to the Central Authority in the applicable country, any and all documents to be served in this case.

IT IS SO ORDERED this 7th day of February, 2011.

BY THE COURT:

2151 (BMC)

EXHIBIT A

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BILL ASHLOCK,

Plaintiff,

-against-

IX NET HOLDING LIMITED,
CALYON SECURITIES (USA)
INC., CLSA LIMITED, SETCLEAR
INC., SETCLEAR PTE. LIMITED,
and JONATHAN SLONE,

Defendants.

Case No.: 10CIV0453

ORDER APPOINTING
INTERNATIONAL
PROCESS SERVER

Pursuant to Chapter I, Article 3 of the Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters developed at the Tenth Session of the Hague Conference on Private International Law on 15 November, 1965 (the "Hague Convention"), and for good cause shown, the Court hereby appoints Crowe Foreign Services, 1020 SW Taylor Street, Suite 240, Portland, Oregon, 97205, and its agents, as the authority and judicial officer competent under the Jurisdiction of this Court to forward to the Central Authority in the applicable country, any and all documents to be served in this case.

IT IS SO ORDERED this 26 day of May, 2010.

BY THE COURT: 26 MAY 2010


HON. GEORGE B. DANIELS

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EASTERN DISTRICT OF NEW YORK

-----X
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Plaintiff,

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(d/b/a DIVERSIFIED WINDOW SOLUTIONS) and
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